

AMENDED IN SENATE APRIL 27, 2010
AMENDED IN ASSEMBLY JANUARY 4, 2010
AMENDED IN ASSEMBLY APRIL 14, 2009
CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1224

Introduced by Assembly Member Eng

February 27, 2009

~~An act to add Section 666 to the Vehicle Code, relating to vehicles.~~
An act to amend Section 149.9 of the Streets and Highways Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1224, as amended, Eng. ~~Vehicles: utility trailer.~~ *High-occupancy toll lanes.*

Existing law authorizes a regional transportation agency, in cooperation with the Department of Transportation, to apply to the California Transportation Commission to develop and operate high-occupancy toll (HOT) lanes, including administration and operation of a value-pricing program and exclusive or preferential lane facilities for public transit.

Existing law, until January 15, 2013, specifically authorizes a value-pricing and transit development demonstration program involving HOT lanes to be conducted, administered, developed, and operated on State Highway Routes 10 and 110 in Los Angeles County by the Los Angeles County Metropolitan Transportation Authority (LACMTA) under certain conditions. Existing law also requires a specified report to be submitted by the department and LACMTA to the Legislature by December 31, 2012.

This bill would extend the authorization for the demonstration program until January 15, 2015, and would require the associated report to be submitted to the Legislature by December 31, 2014.

~~Existing law also defines various terms for the purposes of the Vehicle Code.~~

~~This bill would define the term “utility trailer” for the purposes of the Vehicle Code.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~yes~~no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 149.9 of the Streets and Highways Code*
2 *is amended to read:*

3 149.9. (a) Pursuant to Section 149.7 and the memorandum of
4 understanding between the Los Angeles County Metropolitan
5 Transportation Authority (LACMTA), the United States
6 Department of Transportation, and the department, as adopted on
7 July 24, 2008, and any subsequent, mutually agreed upon changes
8 to that memorandum, the LACMTA may operate a value-pricing
9 and transit development demonstration program involving
10 high-occupancy toll (HOT) lanes to be conducted, administered,
11 developed, and operated on State Highway Routes 10 and 110 in
12 Los Angeles County by the LACMTA.

13 (b) The LACMTA shall implement the program in cooperation
14 with the department, and the active participation of the Department
15 of the California Highway Patrol, pursuant to a cooperative
16 agreement that addresses all matters related to design, construction,
17 maintenance, and operation of state highway system facilities in
18 connection with the value-pricing and transit program. With the
19 consent of the department, the board of the LACMTA shall
20 establish appropriate performance measures, such as speed or travel
21 times, for the purpose of ensuring optimal use of the HOT lanes
22 without adversely affecting other traffic on the state highway
23 system.

24 (c) The LACMTA and the department may implement the
25 demonstration program under the following conditions:

26 (1) The value-pricing program may be operated on State
27 Highway Routes 10 and 110 in Los Angeles County on designated
28 high-occupancy vehicle (HOV) lanes.

1 (2) (A) Single-occupant vehicles, or those vehicles that do not
2 meet minimum occupancy requirements, may be authorized to
3 enter and use the HOV lanes in the identified corridors, under
4 conditions as determined by the LACMTA.

5 (B) The LACMTA may not change the vehicle occupancy
6 requirement for access to the HOV lanes in the identified corridors
7 during the demonstration period that is authorized under this
8 section.

9 (3) As part of the demonstration program, each proposed HOT
10 lane shall have nontolled alternative lanes available for public use
11 in the same corridor as the proposed HOT lanes.

12 (4) The LACMTA shall implement a public outreach and
13 communications plan in order to solicit public input into the
14 development of the demonstration program.

15 (5) In implementing the program, the LACMTA shall identify
16 the affected communities in the respective corridors and work with
17 those communities to identify impacts and develop mitigation
18 measures.

19 (6) The amount of the toll shall be established by the LACMTA,
20 and collected and administered in a manner determined by the
21 LACMTA. The LACMTA shall conduct a public hearing 30 days
22 prior to setting or increasing the toll.

23 (7) The LACMTA shall assess the impacts of the program on
24 commuters of low income and shall provide mitigation to those
25 impacted commuters. Mitigation measures may include, but are
26 not limited to, reduced toll charges and toll credits for transit users.
27 Eligible commuters for reduced toll charges or toll credits for
28 transit users shall meet the eligibility requirements for assistance
29 programs under Chapter 2 (commencing with Section 11200) or
30 Chapter 3 (commencing with Section 12000) of Part 3 of, Part 5
31 (commencing with Section 17000) of, or Chapter 10 (commencing
32 with Section 18900), Chapter 10.1 (commencing with Section
33 18930), or Chapter 10.3 (commencing with Section 18937) of Part
34 6 of, Division 9 of the Welfare and Institutions Code.

35 (8) Toll paying commuters shall have the option to purchase
36 any necessary toll paying equipment, prepay tolls, and renew toll
37 payments by cash or by using a credit card.

38 (9) The LACMTA may operate the demonstration program until
39 January 15, ~~2013~~ 2015, during which time it may not issue bonds
40 for the demonstration program.

(10) The LACMTA and the department shall report to the Legislature by December 31, ~~2012~~ 2014. The report shall include, but not be limited to, a summary of the demonstration program, a survey of its users, the impact on carpoolers, revenues generated, how transit service or alternative modes of transportation were impacted, any potential effect on traffic congestion in the HOV lane and in the neighboring lanes, the number of toll paying vehicles that utilized the HOT lanes, any potential reductions in the greenhouse gas emissions that are attributable to congestion reduction resulting from the HOT lane demonstration project, and a description of the mitigation measures on the affected communities and commuters in this demonstration program. *The report shall be submitted in compliance with Section 9795 of the Government Code. This paragraph shall be inoperative on December 31, 2018, pursuant to Section 10231.5 of the Government Code.*

(11) Pursuant to Section 149.7, the revenue generated from the program may be available to the LACMTA for the direct expenses related to the maintenance, administration, and operation, including collection and enforcement, of the demonstration program. Administrative expenses shall not exceed 3 percent of the revenues.

(12) All remaining revenue generated by the demonstration program shall be used in the corridor from which the revenue was generated exclusively for preconstruction, construction, and other related costs of high-occupancy vehicle facilities and the improvement of transit service in the corridor, including, but not limited to, support for transit operations pursuant to an expenditure plan adopted by the LACMTA.

(13) This section shall not prevent the department or any local agency from constructing facilities that compete with the HOT lane demonstration project, and the LACMTA shall not be entitled to compensation for adverse effects on toll revenue due to those facilities.

~~SECTION 1. Section 666 is added to the Vehicle Code, to read:~~

~~666. A “utility trailer” is a trailer or semitrailer that does not exceed a gross weight of 10,000 pounds or a manufacturer’s gross vehicle weight rating of 10,000 pounds and is either of the following:~~

~~(a) Used solely for the transportation of the user’s personal property, not in commerce.~~

- 1 ~~(b) Designed and used for the transportation of livestock, not~~
- 2 ~~in commerce.~~

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